

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

295S0629

SENATE JOINT RESOLUTION NO. 1

Introduced by: Senator Brown and Representative Cronin

1 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general election
2 an amendment to Article V, section 11 of the Constitution of the State of South Dakota
3 relating to the funding of the Unified Judicial System.

4 BE IT RESOLVED BY THE SENATE OF THE STATE OF SOUTH DAKOTA, THE HOUSE
5 OF REPRESENTATIVES CONCURRING THEREIN:

6 Section 1. That at the next general election held in the state, the following amendment to
7 Article V, section 11 of the Constitution of the State of South Dakota, as set forth in section 2
8 of this Joint Resolution, which is hereby agreed to, shall be submitted to the electors of the state
9 for approval.

10 Section 2. That Article V, section 11 of the Constitution of the State of South Dakota, be
11 amended to read as follows:

12 § 11. The chief justice is the administrative head of the unified judicial system. The chief
13 justice shall submit an annual consolidated budget for the entire unified judicial system, and the
14 ~~total cost of the system shall be paid by the state. The Legislature may provide by law for the~~
15 ~~reimbursement to the state of appropriate portions of such cost by governmental subdivisions~~



1 shall fund the unified judicial system adequate to maintain access to the courts and the fair and
2 measured administration of justice. The Supreme Court shall appoint such court personnel as
3 it deems necessary to serve at its pleasure.

4 The chief justice shall appoint a presiding circuit judge for each judicial circuit to serve at
5 the pleasure of the chief justice. Each presiding circuit judge shall have such administrative
6 power as the Supreme Court designates by rule and may, unless it be otherwise provided by law,
7 appoint judicial personnel to courts of limited jurisdiction to serve at his pleasure. Each
8 presiding circuit judge shall appoint clerks and other court personnel for the counties in his
9 circuit who shall serve at his pleasure at a compensation fixed by law. Duties of clerks shall be
10 defined by Supreme Court rule.

11 The chief justice shall have power to assign any circuit judge to sit on another circuit court,
12 or on the Supreme Court in case of a vacancy or in place of a justice who is disqualified or
13 unable to act. The chief justice may authorize a justice to sit as a judge in any circuit court.

14 The chief justice may authorize retired justices and judges to perform any judicial duties to
15 the extent provided by law and as directed by the Supreme Court.